

## **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application.

### **Listing of the Claims:**

Claim 1 (Currently Amended) Sterilized aqueous suspension comprising 0.5 to 10% protein and from 0.1 to 8 wt% triglyceride-fat and optionally a fat replacer and from 0.01 wt% to 1 wt% emulsifier with a hydrophylic/lipophylic balance of at or below 16 ~~characterised in that wherein~~ the emulsifier ~~is comprises~~ a monoglyceride, the suspension comprising a phytosterol or ester thereof and further ~~characterized in that wherein~~ the suspension has been sterilized at a temperature of around 110°C or higher, the suspension having a viscosity of from 2 to 100 mPaS at a temperature of between 5 and 25°C and a shear rate of 100 Hz.

Claim 2 (Currently Amended) Aqueous suspension according to claim 1 comprising from ~~0.5~~ 1 to 10 wt% protein.

Claim 3 (Previously Presented) Aqueous suspension according to claim 1 wherein the protein is a dairy protein.

Claim 4 (Currently amended) Aqueous suspension according to claim 1 wherein the emulsifier ~~is~~ further includes an emulsifier selected from the group comprising ~~monoglycerides of~~ lecithins, diglycerides, diacetyl tartaric acid esters of mono- and diglycerides, sucrose esters of fatty acids, sodium steoroyl lactylate (SSL), citric acid esters of mono- and diglycerides, or a combination thereof.

Claim 5 (Currently amended) Aqueous suspension according to claim 1 wherein the emulsifier ~~is~~ further includes an emulsifier selected from the group comprising ~~monoglycerides, of~~ lecithins, diglycerides or a combination thereof.

Claim 6 (Canceled)

Claim 7 (Canceled)

Claim 8 (Canceled)

Claim 9 (Canceled)

Claim 10 (Canceled)

Claim 11 (Previously Presented) The sterilized aqueous suspension according to claim 1 comprising 0.005 to 0.5 wt% thickener.

Claim 12 (currently amended) The sterilized aqueous suspension according to claim 1 which does not show any age gelation after 8 weeks storage at 20 to 25°C.

Claim 13 (Previously Presented) Aqueous suspension according to claim 1 wherein the amount of emulsifier is from 0.05 to 0.2 wt%.

Claim 14 (Currently Amended) The aqueous suspension according to claim 8 ~~1~~ wherein the level of ~~triglyceride~~-fat in the aqueous suspension is from 1 to 5 wt%.

Claim 15 (New) The aqueous suspension according to claim 1 wherein the suspension has been sterilized at a temperature of over 120°C.

Claim 16 (New) The aqueous suspension according to claim 1 comprising from 0.2 to 4 wt% phytosterol ester.

Claim 17 (New) The suspension according to claim 1 wherein the monoglyceride has an HLB of 1 to 6.

Claim 18 (New) The suspension according to claim 1 wherein the emulsifier consists of monoglyceride.